

**WRIGHT, FINLAY & ZAK, LLP**

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Attorney for GREEN TREE LOAN SERVICING LLC

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON (TACOMA)**

JAMES A. BIGELOW

Plaintiff,

vs.

NORTHWEST TRUSTEE SERVICES, INC.;  
GREEN TREE SERVICING, LLC; MORTGAGE  
ELECTRONIC REGISTRATION SYSTEMS,  
INC.; and DOE DEFENDANTS 1-20,

Defendants.

GREEN TREE SERVICING, LLC,

Counter-Plaintiff,

vs.

JAMES A. BIGELOW and CAROLYN  
BIGELOW, husband and wife; and ALL  
PERSONS OR PARTIES UNKNOWN  
CLAIMING ANY RIGHT, TITLE, ESTATE,  
LIEN, OR INTEREST IN THE PROPERTY  
DESCRIBED IN THE COMPLAINT HEREIN,

Counter-Defendants.

Case No.: 3:14-cv-05798 BHS

**AFFIDAVIT OF RENEE M. PARKER,  
ESQ. OF FAILURE TO PLEAD OR  
OTHERWISE DEFEND IN SUPPORT  
OF MOTION FOR ENTRY OF  
DEFAULT**

DECLARATION IN SUPPORT OF  
MOTION FOR DEFAULT ON  
COUNTER-COMPLAINT

WFZ File No.: 229-2013426

Renee M. Parker (SBN 36995)  
Wright, Finlay, & Zak, LLP  
4665 MacArthur Blvd., Suite 200  
Newport Beach, CA 92660

PH: (949) 477-5050/FAX: (949) 608-9142

1 I, RENEE M. PARKER, declare as follows:

2 1. I am the attorney of record for Counter-Plaintiff GREEN TREE LOAN  
3 SERVICING LLC ("GREEN TREE"), have personal knowledge of the facts set forth in this  
4 matter, and am authorized to make this Affidavit for and on behalf of GREEN TREE;

5 2. I caused the COUNTERCLAIM AND THIRD-PARTY COMPLAINT FOR  
6 JUDICIAL FORECLOSURE ("Counter-Complaint") to be filed on behalf of GREEN TREE on  
7 January 8, 2015 as Docket Item No. 26;

8 3. Examination of the court files and records in this case show that defendant James  
9 A. Bigelow was served with the Counter-Complaint on January 8, 2015 as evidenced by the  
10 CM/ECF Notice attached hereto as Exhibit A;

11 4. Examination of the court files and records in this case show that defendant  
12 Carolyn Bigelow was served by personal service with the Counter-Complaint on January 22,  
13 2015 as evidenced by the "Proof of Service of Summons" attached hereto as Exhibit B;

14 5. Examination of the court files and records in this case show that defendant Wells  
15 Fargo Bank, N.A. was served by personal service with the Counter-Complaint on January 21,  
16 2015 as evidenced by the "Proof of Service of Summons" attached hereto as Exhibit C;

17 6. Examination of the court files and records in this case show that defendant Oak  
18 Ridge Yelm Homeowners Association was served with the Counter-Complaint on January 22,  
19 2015 as evidenced by the "Proof of Service of Summons" attached hereto as Exhibit D;

20 7. Examination of the court files and records in this case show that then unknown  
21 defendants, designated as all occupants of the real property specified in the Counter-Complaint,  
22 were served with the Counter-Complaint on January 22, 2015 as evidenced by the "Proof of  
23 Service of Summons" attached hereto as Exhibit E;

24 8. A person purporting to be an occupant of the real property specified in the  
25 Counter-Complaint, Timothy Dietz, filed a Notice of Appearance in the case on March 9, 2015  
26 as Docket Item No. 50, but occupancy has not yet been verified;

27 DECLARATION IN SUPPORT OF  
28 MOTION FOR DEFAULT ON  
COUNTER-COMPLAINT

WFZ File No.: 229-2013426

Renee M. Parker (SBN 36995)  
Wright, Finlay, & Zak, LLP  
4665 MacArthur Blvd., Suite 200  
Newport Beach, CA 92660

PH: (949) 477-5050/FAX: (949) 608-9142

5

# **EXHIBIT A**

**From:** [ECF@wawd.uscourts.gov](mailto:ECF@wawd.uscourts.gov)  
**To:** [ECF@wawd.uscourts.gov](mailto:ECF@wawd.uscourts.gov)  
**Subject:** Activity in Case 3:14-cv-05798-BHS Bigelow v. Northwest Trustee Services, Inc. et al Third Party Complaint  
**Date:** Thursday, January 08, 2015 5:27:35 PM

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This is an automatic e-mail message generated by the CM/ECF system. Please **DO NOT RESPOND** to this e-mail because the mail box is unattended.

**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\*** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

**U.S. District Court**

**United States District Court for the Western District of Washington**

**Notice of Electronic Filing**

The following transaction was entered by Parker, Renee on 1/8/2015 at 5:26 PM PST and filed on 1/8/2015

**Case Name:** Bigelow v. Northwest Trustee Services, Inc. et al  
**Case Number:** 3:14-cv-05798-BHS  
**Filer:** Green Tree Servicing, LLC  
**Document Number:** 26

**Docket Text:**

**THIRD PARTY COMPLAINT** *Counterclaim and Third-Party Complaint For Judicial Foreclosure* against James A. Bigelow, Carolyn Bigelow, Wells Fargo Bank, N.A., Oak ridge Yelm Homeowners Association, filed by Green Tree Servicing, LLC. (Attachments: # (1) Summons, # (2) Declaration of Military Search, # (3) Lis Pendens)(Parker, Renee)

**3:14-cv-05798-BHS Notice has been electronically mailed to:**

James A. Bigelow    [sistermoonproductions@gmail.com](mailto:sistermoonproductions@gmail.com)

Joseph H Marshall    [jommarshall@rcolegal.com](mailto:jommarshall@rcolegal.com), [kstephan@rcolegal.com](mailto:kstephan@rcolegal.com)

Renee M Parker    [rmparker@wrightlegal.net](mailto:rmparker@wrightlegal.net), [bknotice@earthlink.net](mailto:bknotice@earthlink.net),  
[lwozniak@wrightlegal.net](mailto:lwozniak@wrightlegal.net), [maugustyniak@wrightlegal.net](mailto:maugustyniak@wrightlegal.net),  
[renee\\_parker@earthlink.net](mailto:renee_parker@earthlink.net), [sbennett@wrightlegal.net](mailto:sbennett@wrightlegal.net)

**3:14-cv-05798-BHS Notice will not be electronically mailed to:**

Carolyn Bigelow

**EXHIBIT A**

The following document(s) are associated with this transaction:

**Document description:**Main Document

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1035929271 [Date=1/8/2015] [FileNumber=5485448-0]  
[69726842945043cde650cbfa4e9de197f1c1df87e9bcc9d1a74f78333d2e7d999f82  
dd7398ce7d7824811e946f9c313e3bc854049a60d8ab10c54dd343710e57]]

**Document description:**Summons

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1035929271 [Date=1/8/2015] [FileNumber=5485448-1]  
[c2438523759d1b99a9ee50d81c6c94dd1837bdeb7b157b0022a58ebe9abb97336336  
fd72b14a470face7401a2e427fb7350826a960d2d162ef73c2ef24fb9614]]

**Document description:** Declaration of Military Search

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1035929271 [Date=1/8/2015] [FileNumber=5485448-2]  
[9a40fe8c13ec8f92ee15cbf3899fa130ad4c25b75f7f47e8f60e0965342e762a2432  
5308fe2ac21656c78758a649ce2339053498ea7aaa353bae4b50c9df7e73]]

**Document description:** Lis Pendens

**Original filename:**n/a

**Electronic document Stamp:**

[STAMP dcecfStamp\_ID=1035929271 [Date=1/8/2015] [FileNumber=5485448-3]  
[25dad6ecd36f7997857c0a43682e6617231639dec60c38e3b97c7a1b74ec6a073002  
36dd6bb89dd3adb33adf7e2d5f765300477e10239d183d34d96470f3ff37]]

## **EXHIBIT B**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) <b>RENEE M. PARKER, ESQ.   SBN: 36995</b> <b>WRIGHT, FINLAY &amp; ZAK, LLP</b> <b>4665 MACARTHUR BOULEVARD, SUITE 200</b> <b>NEWPORT BEACH, CA 92660</b> TELEPHONE NO.: (949) 477-5050   FAX NO. (949) 608-9142   E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Counter-Plaintiff: GREEN TREE SERVICING LLC	FOR COURT USE ONLY
<b>UNITED STATES DISTRICT COURT</b>  STREET ADDRESS: 1717 PACIFIC AVENUE  MAILING ADDRESS:  CITY AND ZIP CODE: TACOMA, WA 98402  BRANCH NAME: WESTERN DISTRICT OF WASHINGTON - TACOMA	
PLAINTIFF/PETITIONER: JAMES A. BIGELOW  DEFENDANT/RESPONDENT: NORTHWEST TRUSTEE SERVICES, INC.; et al.	CASE NUMBER:  3:14-cv-05798 BHS
<b>PROOF OF SERVICE OF SUMMONS</b>	Ref. No. or File No.: 282-2014009-Bigelow, James

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
  - a. ☐ Summons
  - b. ☐ Complaint
  - c. ☐ Alternative Dispute Resolution (ADR) package
  - d. ☐ Civil Case Cover Sheet
  - e. ☐ Cross-complaint
  - f. ☒ other (specify documents): **SUMMONS ON A THIRD-PARTY COMPLAINT; COUNTERCLAIM AND THIRD-PARTY COMPLAINT FOR JUDICIAL FORECLOSURE; LIS PENDENS; DECLARATION OF MILITARY SEARCH**
3. a. Party served (specify name of party as shown on documents served):  
**CAROLYN BIGELOW, wife**
- b. ☐ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):
4. Address where the party was served: **10018 CASCADIAN AVE. SE**  
**YELM, WA 98597**
5. I served the party (check proper box)
  - a. ☐ **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): (2) at (time):
  - b. ☒ **by substituted service.** On (date): **01/22/2015** at (time): **04:13 pm** I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3b):  
**JACKIE DEETS - DAUGHTER**
    - (1) ☐ **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
    - (2) ☒ **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
    - (3) ☐ **(physical address unknown)** a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
    - (4) ☒ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., §415.20). I mailed the documents on (date): from (city): or ☒ a declaration of mailing is attached.
    - (5) ☐ I attach a **declaration of diligence** stating actions taken first to attempt personal service.



PETITIONER: JAMES A. BIGELOW	CASE NUMBER:
RESPONDENT: NORTHWEST TRUSTEE SERVICES, INC.; et al.	3:14-cv-05798 BHS

c. ☐ **by mail and acknowledgment of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,

(1) on (date):

(2) from (city):

(3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt*.) (Code Civ. Proc., § 415.30.)

(4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)

d. ☐ **by other means** (specify means of service and authorizing code section):

☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

a. ☒ as an individual defendant.

b. ☐ as the person sued under the fictitious name of (specify):

c. ☐ as occupant.

d. ☐ On behalf of (specify):

under the following Code of Civil Procedure section:

☐ 416.10 (corporation)

☐ 416.20 (defunct corporation)

☐ 416.30 (joint stock company/association)

☐ 416.40 (association or partnership)

☐ 416.50 (public entity)

☐ 415.95 (business organization, form unknown)

☐ 416.60 (minor)

☐ 416.70 (ward or conservatee)

☐ 416.90 (authorized person)

☐ 415.46 (occupant)

☐ other: \_\_\_\_\_

7. **Person who served papers**

a. Name: **TIMOFEY A. SAMOYLENKO (WA Process Server) C/O Nationwide Legal, LLC (L.A. 12-234648)**

b. Address: **200 W. Santa Ana Blvd., Suite 300 Santa Ana, CA 92701**

c. Telephone number: **(714) 558-2400**

d. The fee for service was: **\$ 228.37**

e. I am:

(1) ☒ not a registered California process server.

(2) ☐ exempt from registration under Business and Professions Code section 22350(b).

(3) ☐ registered California process server:

(i) ☐ owner ☐ employee

☐ independent contractor.

(ii) Registration No.: **131869**

(iii) County: **KING**

8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

or

9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: **01/29/2015**

**Nationwide Legal, LLC (L.A. 12-234648)**

**200 W. Santa Ana Blvd., Suite 300**

**Santa Ana, CA 92701**

**(714) 558-2400**

**www.nationwideasap.com**

**TIMOFEY A. SAMOYLENKO (WA Process Server)**

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

(SIGNATURE)

I am readily familiar with the firm's practice for collection and processing of documents for mailing. Under that practice, it would be deposited within the United States Postal Service, on that same day, with postage thereon fully prepaid at SANTA ANA, California in the ordinary course of business.

**Fee for Service: \$ 228.37**

**NATIONWIDE LEGAL**  
**Nationwide Legal, LLC**  
**200 W. Santa Ana Blvd., Suite 300**  
**Santa Ana, CA 92701**  
**(714) 558-2400**  
**[www.nationwideasap.com](http://www.nationwideasap.com)**

I declare under penalty of perjury under the laws of the State of California that the foregoing information contained in the return of service and statement of service fees is true and correct and that this declaration was executed on January 29, 2015.

Signature: \_\_\_\_\_

**ANA CASTRO**

**PROOF OF SERVICE BY MAIL**

Order#: 2555789GE/mailproof

## **EXHIBIT C**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) <b>RENEE M. PARKER, ESQ.   SBN: 36995</b> <b>WRIGHT, FINLAY &amp; ZAK, LLP</b> <b>4665 MACARTHUR BOULEVARD, SUITE 200</b> <b>NEWPORT BEACH, CA 92660</b> TELEPHONE NO.: (949) 477-5050   FAX NO. (949) 608-9142   E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Counter-Plaintiff: GREEN TREE SERVICING LLC	FOR COURT USE ONLY
<b>UNITED STATES DISTRICT COURT</b>  STREET ADDRESS: 1717 PACIFIC AVENUE  MAILING ADDRESS:  CITY AND ZIP CODE: TACOMA, WA 98402  BRANCH NAME: WESTERN DISTRICT OF WASHINGTON - TACOMA	
PLAINTIFF/PETITIONER: JAMES A. BIGELOW  DEFENDANT/RESPONDENT: NORTHWEST TRUSTEE SERVICES, INC.; et al.	CASE NUMBER:  3:14-cv-05798 BHS
<b>PROOF OF SERVICE OF SUMMONS</b>	Ref. No. or File No.: 282-2014009-Bigelow, James

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
  - a. ☐ Summons
  - b. ☐ Complaint
  - c. ☐ Alternative Dispute Resolution (ADR) package
  - d. ☐ Civil Case Cover Sheet
  - e. ☐ Cross-complaint
  - f. ☒ other (specify documents): **SUMMONS ON A THIRD-PARTY COMPLAINT; COUNTERCLAIM AND THIRD-PARTY COMPLAINT FOR JUDICIAL FORECLOSURE; LIS PENDENS; DECLARATION OF MILITARY SEARCH**
3. a. Party served (specify name of party as shown on documents served):  
**WELLS FARGO BANK, N.A.**
- b. ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):  
**CORPORATION SERVICE COMPANY, REGISTERED AGENTS FOR SERVICE OF PROCESS - BY SERVING JUANITA HUEY, PROCESS SPECIALIST**
4. Address where the party was served: **300 DESCHUTES WAY SW., SUITE 304 TUMWATER, WA 98501**
5. I served the party (check proper box)
  - a. ☒ **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **01/21/2015** (2) at (time): **11:09 am**
  - b. ☐ **by substituted service.** On (date): at (time): I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3b):
    - (1) ☐ **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
    - (2) ☐ **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
    - (3) ☐ **(physical address unknown)** a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
    - (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., §415.20). I mailed the documents on (date): from (city): or ☐ a declaration of mailing is attached.
    - (5) ☐ I attach a **declaration of diligence** stating actions taken first to attempt personal service.

PETITIONER: JAMES A. BIGELOW	CASE NUMBER:
RESPONDENT: NORTHWEST TRUSTEE SERVICES, INC.; et al.	3:14-cv-05798 BHS

- c. ☐ by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
- (1) on (date): (2) from (city):
- (3) ☐ with two copies of the Notice and Acknowledgment of Receipt and a postage-paid return envelope addressed to me. (Attach completed Notice and Acknowledgment of Receipt.) (Code Civ. Proc., § 415.30.)
- (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d. ☐ by other means (specify means of service and authorizing code section):
- ☐ Additional page describing service is attached.
6. The "Notice to the Person Served" (on the summons) was completed as follows:
- a. ☐ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (specify):
- c. ☐ as occupant.
- d. ☒ On behalf of (specify): **WELLS FARGO BANK, N.A.**  
under the following Code of Civil Procedure section:
- |   |  |
|---|--|
| <input type="checkbox"/> 416.10 (corporation)                     | <input checked="" type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation)             | <input type="checkbox"/> 416.60 (minor)  |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee)                            |
| <input type="checkbox"/> 416.40 (association or partnership)      | <input type="checkbox"/> 416.90 (authorized person)                              |
| <input type="checkbox"/> 416.50 (public entity)                   | <input type="checkbox"/> 415.46 (occupant)                                       |
|   | <input type="checkbox"/> other:  |
7. Person who served papers
- a. Name: **GREG SCHERMERHORN (WA Process Server) C/O Nationwide Legal, LLC (L.A. 12-234648)**
- b. Address: **200 W. Santa Ana Blvd., Suite 300 Santa Ana, CA 92701**
- c. Telephone number: **(714) 558-2400**
- d. The fee for service was: **\$ 195.50**
- e. I am:
- (1) ☒ not a registered California process server.
- (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
- (3) ☐ registered California process server:
- (i) ☐ owner ☐ employee ☐ independent contractor.
- (ii) Registration No.: **0508350**
- (iii) County: **KING**
8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
- or
9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: 01/28/2015

Nationwide Legal, LLC (L.A. 12-234648)  
 200 W. Santa Ana Blvd., Suite 300  
 Santa Ana, CA 92701  
 (714) 558-2400  
 www.nationwideasap.com

**GREG SCHERMERHORN (WA Process Server)**  
 (NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

(SIGNATURE)

## **EXHIBIT D**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) <b>RENEE M. PARKER, ESQ.   SBN: 36995</b> <b>WRIGHT, FINLAY &amp; ZAK, LLP</b> <b>4665 MACARTHUR BOULEVARD, SUITE 200</b> <b>NEWPORT BEACH, CA 92660</b> TELEPHONE NO.: (949) 477-5050   FAX NO. (949) 608-9142   E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Counter-Plaintiff: GREEN TREE SERVICING LLC	FOR COURT USE ONLY
<b>UNITED STATES DISTRICT COURT</b>  STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: WA BRANCH NAME: WESTERN DISTRICT OF WASHINGTON	
PLAINTIFF/PETITIONER: JAMES A. BIGELOW DEFENDANT/RESPONDENT: NORTHWEST TRUSTEE SERVICES, INC.; et al.	CASE NUMBER: 3:14-cv-05798 BHS
<b>PROOF OF SERVICE OF SUMMONS</b>	Ref. No. or File No.: 282-2014009-Bigelow, James

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
  - a. ☐ Summons
  - b. ☐ Complaint
  - c. ☐ Alternative Dispute Resolution (ADR) package
  - d. ☐ Civil Case Cover Sheet
  - e. ☐ Cross-complaint
  - f. ☒ other (specify documents): **SUMMONS ON A THIRD-PARTY COMPLAINT; COUNTERCLAIM AND THIRD-PARTY COMPLAINT FOR JUDICIAL FORECLOSURE; LIS PENDENS; DECLARATION OF MILITARY SEARCH**
3. a. Party served (specify name of party as shown on documents served):  
**OAK RIDGE YELM HOMEOWNERS ASSOCIATION, a non-profit corporation**
  - b. ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):  
**RUTH MEENK - DESIGNATED PERSON**
4. Address where the party was served: **5120 KLAHANIE DR. NW.**  
**OLYMPIA, WA 98502**
5. I served the party (check proper box)
  - a. ☒ **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): **01/22/2015** (2) at (time): **03:16 pm**
  - b. ☐ **by substituted service.** On (date): at (time): I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3b):
    - (1) ☐ **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
    - (2) ☐ **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
    - (3) ☐ **(physical address unknown)** a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
    - (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., §415.20). I mailed the documents on (date): from (city): or ☐ a declaration of mailing is attached.
    - (5) ☐ I attach a **declaration of diligence** stating actions taken first to attempt personal service.

PETITIONER: <b>JAMES A. BIGELOW</b>	CASE NUMBER:
RESPONDENT: <b>NORTHWEST TRUSTEE SERVICES, INC.; et al.</b>	<b>3:14-cv-05798 BHS</b>

- c. ☐ **by mail and acknowledgment of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
- (1) on (date): (2) from (city):
- (3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt*.) (Code Civ. Proc., § 415.30.)
- (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d. ☐ **by other means (specify means of service and authorizing code section):**

☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. ☐ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (specify):
- c. ☐ as occupant.
- d. ☒ On behalf of (specify): **OAK RIDGE YELM HOMEOWNERS ASSOCIATION, a non-profit corporation**  
under the following Code of Civil Procedure section:

- |   |  |
|---|--|
| <input type="checkbox"/> 416.10 (corporation)                     | <input type="checkbox"/> 415.95 (business organization, form unknown)      |
| <input type="checkbox"/> 416.20 (defunct corporation)             | <input type="checkbox"/> 416.60 (minor)                                    |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee)                      |
| <input type="checkbox"/> 416.40 (association or partnership)      | <input type="checkbox"/> 416.90 (authorized person)                        |
| <input type="checkbox"/> 416.50 (public entity)                   | <input type="checkbox"/> 415.46 (occupant)                                 |
|   | <input checked="" type="checkbox"/> other: <b>A NON-PROFIT CORPORATION</b> |

7. Person who served papers

- a. Name: **TIMOFEY A. SAMOYLENKO (WA Process Server) C/O Nationwide Legal, LLC (L.A. 12-234648)**
- b. Address: **200 W. Santa Ana Blvd., Suite 300 Santa Ana, CA 92701**
- c. Telephone number: **(714) 558-2400**
- d. The fee for service was: **\$ 172.50**
- e. I am:

- (1) ☒ not a registered California process server.
- (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
- (3) ☐ registered California process server:
- (i) ☐ owner ☐ employee ☐ independent contractor.
- (ii) Registration No.: **131869**
- (iii) County: **KING**

8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

or

9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: **01/28/2015**

**Nationwide Legal, LLC (L.A. 12-234648)**  
**200 W. Santa Ana Blvd., Suite 300**  
**Santa Ana, CA 92701**  
**(714) 558-2400**  
**www.nationwideasap.com**

**TIMOFEY A. SAMOYLENKO (WA Process Server)**  
 (NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

(SIGNATURE)



## **EXHIBIT E**

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) <b>RENEE M. PARKER, ESQ.   SBN: 36995</b> <b>WRIGHT, FINLAY &amp; ZAK, LLP</b> <b>4665 MACARTHUR BOULEVARD, SUITE 200</b> <b>NEWPORT BEACH, CA 92660</b> TELEPHONE NO.: (949) 477-5050   FAX NO. (949) 608-9142   E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): Counter-Plaintiff: GREEN TREE SERVICING LLC	FOR COURT USE ONLY
<b>UNITED STATES DISTRICT COURT</b>  STREET ADDRESS: 1717 PACIFIC AVENUE  MAILING ADDRESS:  CITY AND ZIP CODE: TACOMA, WA 98402  BRANCH NAME: WESTERN DISTRICT OF WASHINGTON - TACOMA	
PLAINTIFF/PETITIONER: <b>JAMES A. BIGELOW</b>  DEFENDANT/RESPONDENT: <b>NORTHWEST TRUSTEE SERVICES, INC.; et al.</b>	CASE NUMBER: <b>3:14-cv-05798 BHS</b>
<b>PROOF OF SERVICE OF SUMMONS</b>	Ref. No. or File No.: <b>282-2014009-Bigelow, James</b>

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
  - a. ☐ Summons
  - b. ☐ Complaint
  - c. ☐ Alternative Dispute Resolution (ADR) package
  - d. ☐ Civil Case Cover Sheet
  - e. ☐ Cross-complaint
  - f. ☒ other (specify documents): **SUMMONS ON A THIRD-PARTY COMPLAINT; COUNTERCLAIM AND THIRD-PARTY COMPLAINT FOR JUDICIAL FORECLOSURE; LIS PENDENS; DECLARATION OF MILITARY SEARCH**
3. a. Party served (specify name of party as shown on documents served):  
**CURRENT OCCUPANT (ALL PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, ESTATE, LIEN, OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT HEREIN)**
  - b. ☐ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):
4. Address where the party was served: **10018 CASCADIAN AVE. SE**  
**YELM, WA 98597**
5. I served the party (check proper box)
  - a. ☐ **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): (2) at (time):
  - b. ☒ **by substituted service.** On (date): **01/22/2015** at (time): **04:13 pm** I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3b):  
**JACKIE DEETS - OCCUPANT**
    - (1) ☐ **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
    - (2) ☒ **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
    - (3) ☐ **(physical address unknown)** a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
    - (4) ☒ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., §415.20). I mailed the documents on (date): from (city): or ☒ a declaration of mailing is attached.
    - (5) ☐ I attach a **declaration of diligence** stating actions taken first to attempt personal service.

PETITIONER: <b>JAMES A. BIGELOW</b>	CASE NUMBER:
RESPONDENT: <b>NORTHWEST TRUSTEE SERVICES, INC.; et al.</b>	<b>3:14-cv-05798 BHS</b>

- c. ☐ by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
- (1) on (date): (2) from (city):
- (3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt*.) (Code Civ. Proc., § 415.30.)
- (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d. ☐ by other means (specify means of service and authorizing code section):
- ☐ Additional page describing service is attached.
6. The "Notice to the Person Served" (on the summons) was completed as follows:
- a. ☐ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (specify):
- c. ☒ as occupant.
- d. ☐ On behalf of (specify):
- under the following Code of Civil Procedure section:
- |   |   |
|---|---|
| <input type="checkbox"/> 416.10 (corporation)                     | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation)             | <input type="checkbox"/> 416.60 (minor)                               |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee)                 |
| <input type="checkbox"/> 416.40 (association or partnership)      | <input type="checkbox"/> 416.90 (authorized person)                   |
| <input type="checkbox"/> 416.50 (public entity)                   | <input checked="" type="checkbox"/> 415.46 (occupant)                 |
|   | <input type="checkbox"/> other:                                       |
7. Person who served papers
- a. Name: **TIMOFEY A. SAMOYLENKO (WA Process Server) C/O Nationwide Legal, LLC (L.A. 12-234648)**
- b. Address: **200 W. Santa Ana Blvd., Suite 300 Santa Ana, CA 92701**
- c. Telephone number: **(714) 558-2400**
- d. The fee for service was: **\$ 103.37**
- e. I am:
- (1) ☒ not a registered California process server.
- (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
- (3) ☐ registered California process server:
- (i) ☐ owner ☐ employee ☐ independent contractor.
- (ii) Registration No.: **131869**
- (iii) County: **KING**
8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
- or
9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: **01/29/2015**

**Nationwide Legal, LLC (L.A. 12-234648)**  
**200 W. Santa Ana Blvd., Suite 300**  
**Santa Ana, CA 92701**  
**(714) 558-2400**  
**www.nationwideasap.com**

**TIMOFEY A. SAMOYLENKO (WA Process Server)**  
 (NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

(SIGNATURE)

Attorney or Party without Attorney: RENEE M. PARKER, ESQ., SBN: 36995 WRIGHT, FINLAY & ZAK, LLP 4665 MACARTHUR BOULEVARD, SUITE 200 NEWPORT BEACH, CA 92660 TELEPHONE No.: (949) 477-5050 FAX No. (Optional): (949) 608-9142 E-MAIL ADDRESS (Optional): Attorney for: Counter-Plaintiff GREEN TREE SERVICING LLC				FOR COURT USE ONLY	
Ref No. or File No.: 282-2014009-Bigelow, James					
Insert name of Court, and Judicial District and Branch Court: UNITED STATES DISTRICT COURT - WESTERN DISTRICT OF WASHINGTON - TACOMA					
Plaintiff: JAMES A. BIGELOW Defendant: NORTHWEST TRUSTEE SERVICES, INC.; et al.					
<b>PROOF OF SERVICE BY MAIL</b>		HEARING DATE:	TIME:	DEPT.:	CASE NUMBER: 3:14-cv-05798 BHS

1. I am over the age of 18 and not a party to this action. I am employed in the county where the mailing occurred.
2. I served copies of the SUMMONS ON A THIRD-PARTY COMPLAINT; COUNTERCLAIM AND THIRD-PARTY COMPLAINT FOR JUDICIAL FORECLOSURE; LIS PENDENS; DECLARATION OF MILITARY SEARCH
3. By placing a true copy thereof enclosed in a sealed envelope, with First Class postage thereon fully prepaid, in the United States Mail at SANTA ANA, California, addressed as follows:
  - a. Date of Mailing: January 27, 2015
  - b. Place of Mailing: SANTA ANA, California
  - c. Addressed as follows: CURRENT OCCUPANT (ALL PERSONS OR PARTIES UNKNOWN CLAIMING ANY RIGHT, TITLE, ESTATE, LIEN, OR INTEREST IN THE PROPERTY DESCRIBED IN THE COMPLAINT HEREIN)  
10018 CASCADIAN AVE. SE  
YELM, WA 98597

I am readily familiar with the firm's practice for collection and processing of documents for mailing. Under that practice, it would be deposited within the United States Postal Service, on that same day, with postage thereon fully prepaid at SANTA ANA, California in the ordinary course of business.

Fee for Service: \$ 103.37

**NATIONWIDE LEGAL**  
**Nationwide Legal, LLC**  
 200 W. Santa Ana Blvd., Suite 300  
 Santa Ana, CA 92701  
 (714) 558-2400  
 www.nationwideasap.com

I declare under penalty of perjury under the laws of the The State of California that the foregoing information contained in the return of service and statement of service fees is true and correct and that this declaration was executed on January 29, 2015.

Signature: \_\_\_\_\_

**ANA CASTRO**

**PROOF OF SERVICE BY MAIL**

Order#: 2555791GE/mailproof

**CERTIFICATE OF SERVICE**

I, Steven E. Bennett, declare as follows:

I am employed in the County of Orange, State of California. I am over the age of eighteen (18) and not a party to the within action. My business address is 4665 MacArthur Court, Suite 280, Newport Beach, California 92660. I am readily familiar with the practices of Wright, Finlay & Zak, LLP, for collection and processing of correspondence for mailing with the United States Postal Service. Such correspondence is deposited with the United States Postal Service the same day in the ordinary course of business.

On March 9, 2015, I served the within **AFFIDAVIT OF RENEE M. PARKER, ESQ. OF FAILURE TO PLEAD OR OTHERWISE DEFEND IN SUPPORT OF MOTION FOR ENTRY OF DEFAULT** on all interested parties in this action as follows:

**PLAINTIFF:**

James A Bigelow  
[sistermoonproductions@gmail.com](mailto:sistermoonproductions@gmail.com)

Carolyn Bigelow  
10018 Cascadian Ave. SE  
Yelm, WA 98597

Wells Fargo Bank, N.A.  
c/o Corporation Service Company, Registered Agent For Service of Process  
Attn: Juanita Huey  
300 Deschutes Way SW., Suite 304  
Tumwater, WA 98501

Oak Ridge Yelm Homeowners Association  
Attn: Ruth Meenk – Designated Person  
5120 Klahanie Dr. NW  
Olympia, WA 98502

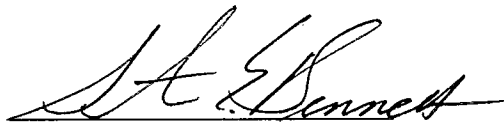
Timothy Dietz  
10018 Cascadian Ave SE  
Yelm, WA 98597

Current Occupant (All Persons or Parties Unknown Claiming Any Right, Title, Estate, Lien, Or Interest in The Property Described in The Complaint)  
10018 Cascadian Ave. SE  
Yelm, WA 98597

☒ by placing ☐ the original ☒ a true copy thereof enclosed in sealed envelope(s) addressed as follows:

- 1 ☒ (BY MAIL SERVICE) I placed such envelope(s) for collection to be mailed on this date  
2 following ordinary business practices.
- 3 ☒ (BY ELECTRONIC MAIL) I caused each such document to be transmitted electronically  
4 to the parties at the e-mail address indicated. To the best my knowledge, the transmission  
5 was reported as complete, and no error was reported that the electronic transmission was  
6 not completed.
- 7 ☐ (CM/ECF Electronic Filing) I caused the above document(s) to be transmitted to the  
8 office(s) of the addressee(s) listed by electronic mail at the e-mail address(es) set forth  
9 above pursuant to Fed.R.Civ.P.5(b)(2)(E). "A Notice of Electronic Filing (NEF) is  
10 generated automatically by the ECF system upon completion of an electronic filing. The  
11 NEF, when e-mailed to the e-mail address of record in the case, shall constitute the proof  
12 of service as required by Fed.R.Civ.P.5(b)(2)(E). A copy of the NEF shall be attached to  
13 any document served in the traditional manner upon any party appearing pro se."
- 14 ☐ (BY FACSIMILE) The facsimile machine I used, with telephone no. (949) 477-9200,  
15 complied with California Rules of Court, Rule 2003, and no error was reported by the  
16 machine.
- 17 ☐ (BY NORCO DELIVERY SERVICE - NEXT DAY DELIVERY) I placed true and  
18 correct copies of thereof enclosed in a package designated by Norco Delivery Service  
19 with the delivery fees provided for.
- 20 ☐ (State) I declare under penalty of perjury under the laws of the state of California that the  
21 foregoing is true and correct.
- 22 ☒ (FEDERAL) I declare that I am employed in the office of a member of the bar of this  
23 court at whose direction the service was made.

24 Executed on March 9, 2015 at Newport Beach, California.

25 

26 Steven E. Bennett